

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – OFFICE OF THE CHIEF COUNSEL
OCTOBER 8, 2013**

ITEM 9

SUBJECT

WORKSHOP REGARDING THE RECEIVING WATER LIMITATIONS PROVISIONS IN THE LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (ORDER NO. R4-2012-0175) (LOS ANGELES MS4 PERMIT) (SWRCB/OCC FILES A-2236(A)-(KK)).

DISCUSSION

On November 20, 2012, the State Water Board held a workshop to take public comment on an issue paper discussing several alternatives to addressing receiving water limitations in National Pollutant Discharge Elimination System (NPDES) permits for Municipal Separate Storm Sewer Systems (MS4s). The State Water Board is now considering the particular approach to receiving water limitations established in the Los Angeles MS4 Permit. The Los Angeles MS4 Permit has been challenged in multiple petitions pending before the State Water Board (SWRCB/OCC Files A-2236(a)-(kk)) and some of the issues in the petitions concern the receiving water limitations of the Permit.

The Los Angeles MS4 Permit appears to provide a compliance alternative to the State Water Board's precedential receiving water limitations for MS4s. Under the Los Angeles MS4 Permit, dischargers that are in compliance with the requirements and milestones of an approved watershed management program/enhanced watershed management program are also generally deemed to be in compliance with the Permit's receiving water limitations.

By a letter dated July 8, 2013, the State Water Board invited all interested persons to submit written comments on the following questions:

1. Is the watershed management program/enhanced watershed management program alternative contained in the Los Angeles MS4 Permit an appropriate approach to revising the receiving water limitations in MS4 permits?
2. If not, what revisions to the watershed management program/enhanced watershed management program alternative of the Los Angeles MS4 Permit would make the approach a viable alternative for receiving water limitations in MS4 permits?

Written comments were due by August 15, 2013. The State Water Board will hear oral comment at the workshop.

POLICY ISSUE

As discussed above, the State Water Board is considering whether the watershed management program/enhanced watershed management program alternative contained in the Los Angeles MS4 Permit is an appropriate approach to revising the receiving water limitations in MS4 permits. However, this is a workshop only and no decisions will be made.

FISCAL IMPACT

None – Workshop only, no decisions will be made

REGIONAL BOARD IMPACT

None at this time – Workshop only, no decisions will be made.

STAFF RECOMMENDATION

None – Workshop only, no decisions will be made.

State Water Board action on this item will assist the Water Boards in reaching Goals 5 and 6 of the Strategic Plan Update: 2008-2012 to improve transparency and accountability by ensuring that Water Board goals and actions are clear and accessible and to enhance consistency across the Water Boards, on an ongoing basis, to ensure our processes are effective, efficient, and predictable.